

Montana Department of Natural Resources and Conservation
Water Resources Division
Water Rights Bureau

ENVIRONMENTAL ASSESSMENT
For Routine Actions with Limited Environmental Impact

Note: Instructions to DNRC staff for preparing this EA can be found at:
http://www.dnrc.state.mt.us/eis_ea.html

Part I. Proposed Action Description

1. *Applicant/Contact name and address:* The Club at Spanish Peaks, LLC

PO Box 161470
Big Sky, Mt. 59716-1470
2. *Type of action:* Application To Change A Water Right # 30025554-41H
3. *Water source name:* Four Wells
4. *Location affected by project:* Sec 4 T7S R3E, Gallatin County
5. *Narrative summary of the proposed project, purpose, action to be taken, and benefits:*
The applicant proposes to expand the place of use, by six lots, in Section 4 T7S R3E. The permitted flow rate and volume will not increase. The DNRC shall Authorize a Change if the applicant proves that the criteria in # 85-2-402, MCA, are met.
6. *Agencies consulted during preparation of the Environmental Assessment:*
(include agencies with overlapping jurisdiction) Montana State Historical Preservation Office, Montana Department of Fish, Wildlife & Parks, Montana Natural Heritage Program, Gallatin County Planning Office, Montana Department of Environmental Quality.

Part II. Environmental Review

1. Environmental Impact Checklist:

PHYSICAL ENVIRONMENT

WATER QUANTITY, QUALITY AND DISTRIBUTION

Water quantity - Assess whether the source of supply is identified as a chronically or periodically dewatered stream by DFWP. Assess whether the proposed use will worsen the already dewatered condition.

Determination: The source of water is groundwater from four wells, which has not been listed as chronically or periodically dewatered by the MDFWP.

Water quality - *Assess whether the stream is listed as water quality impaired or threatened by DEQ, and whether the proposed project will affect water quality.*

Determination: These wells are not listed on the DEQ, 303(d) list.

Groundwater - *Assess if the proposed project impacts ground water quality or supply. If this is a groundwater appropriation, assess if it could impact adjacent surface water flows.*

Determination: Groundwater quality should not be impacted by additional withdrawal from the aquifer. The original permit # 30004937 may affect the supply of groundwater by reducing it by 840 GPM, up to 525.4 acre-feet. The wells will be approximately 655 to 675 feet deep. The change in place of use will have not new impact on adjacent surface water flows.

DIVERSION WORKS - *Assess whether the means of diversion, construction and operation of the appropriation works of the proposed project will impact any of the following: channel impacts, flow modifications, barriers, riparian areas, dams, well construction.*

Determination: Water will be diverted using a 60 HP pump in each well. The wells will be drilled by a licensed driller. These wells will have no channel impact, or impact on riparian areas or barriers.

UNIQUE, ENDANGERED, FRAGILE OR LIMITED ENVIRONMENTAL RESOURCES

Endangered and threatened species - *Assess whether the proposed project will impact any threatened or endangered fish, wildlife, plants or aquatic species or any "species of special concern," or create a barrier to the migration or movement of fish or wildlife. For groundwater, assess whether the proposed project, including impacts on adjacent surface flows, would impact any threatened or endangered species or "species of special concern."*

Determination: The Montana Natural Heritage Program was contacted. The lynx and grizzly bear may be found in the area of this proposed new development. Migration routes may be altered by this development.

Wetlands - *Consult and assess whether the apparent wetland is a functional wetland (according to COE definitions), and whether the wetland resource would be impacted.*

Determination: A wetland delineation of the proposed development was conducted by Pioneer Environmental Services, Inc. The delineation effort identified 236 wetlands and 55,626 linear feet of bed-and-bank channels across the project area. These wetlands totaled nearly 56 acres. A delineation was not conducted at the proposed well locations. It is unknown if wetlands exist where the wells will be drilled. It is unknown if wetlands exist at the location of the additional six lots.

Ponds - *For ponds, consult and assess whether existing wildlife, waterfowl, or fisheries resources would be impacted.*

Determination: The ponds being constructed are primarily used for water hazards on the golf course. These ponds may have some benefit to wildlife, and waterfowl. This Change does not involve any ponds.

GEOLOGY/SOIL QUALITY, STABILITY AND MOISTURE - *Assess whether there will be degradation of soil quality, alteration of soil stability, or moisture content. Assess whether the soils are heavy in salts that could cause saline seep.*

Determination: It is unlikely that saline seep would be found in this area. The drilling of these wells will not degrade soil quality, alter soil stability, or moisture content. Moisture content may be increased on the additional six lots if they are irrigated.

VEGETATION COVER, QUANTITY AND QUALITY/NOXIOUS WEEDS - *Assess impacts to existing vegetative cover. Assess whether the proposed project would result in the establishment or spread of noxious weeds.*

Determination: The existing vegetative cover will be disturbed when the four wells are drilled. The construction of the golf course, ponds, and new subdivision will impact existing vegetative cover. If not controlled, noxious weeds could be established in the disturbed areas.

AIR QUALITY - *Assess whether there will be a deterioration of air quality or adverse effects on vegetation due to increased air pollutants.*

Determination: Air quality may be altered if any of the additional 6 dwelling units have woodstoves, or fireplaces. Additional vehicles will create more auto emissions.

HISTORICAL AND ARCHEOLOGICAL SITES - *Assess whether there will be degradation of unique archeological or historical sites in the vicinity of the proposed project.*

Determination: The Montana Historical Preservation Office was contacted. There have been no previously recorded archaeological sites within the designated search locale. However there have been two previously recorded historic sites. Site 24GA1361 is a historic route/trail and runs through Sections 5 & 6. Site 24MA2033 is a historic residence and is located in Section 34. It appears that there are no sites in Section 4 T7S R3E.

DEMANDS ON ENVIRONMENTAL RESOURCES OF LAND, WATER, AND ENERGY - *Assess any other impacts on environmental resources of land, water and energy not already addressed.*

Determination: There will be additional demand for energy to supply the additional 6 dwelling units.

HUMAN ENVIRONMENT

LOCALLY ADOPTED ENVIRONMENTAL PLANS AND GOALS - *Assess whether the proposed project is inconsistent with any locally adopted environmental plans and goals.*

Determination: The Gallatin County Planning Department was contacted. The county has approved this subdivision.

ACCESS TO AND QUALITY OF RECREATIONAL AND WILDERNESS ACTIVITIES - *Assess whether the proposed project will impact access to or the quality of recreational and wilderness activities.*

Determination: This project is located on private land, with no access to recreational or wilderness activities. No impact is expected.

HUMAN HEALTH - *Assess whether the proposed project impacts on human health.*

Determination: No impact on human health is expected.

PRIVATE PROPERTY - *Assess whether there are any government regulatory impacts on private property rights.*

Yes___ No___ If yes, analyze any alternatives considered that could reduce, minimize, or eliminate the regulation of private property rights.

Determination: Private property rights are not impacted by this proposed action.

OTHER HUMAN ENVIRONMENTAL ISSUES - *For routine actions of limited environmental impact, the following may be addressed in a checklist fashion.*

Impacts on:

- (a) Cultural uniqueness and diversity? Cultural diversity may change when the 6 lots are sold & occupied.
- (b) Local and state tax base and tax revenues? It is unknown if additional taxes will be collected.
- (c) Existing land uses? The existing land use will change. Open space will be transformed with 6 new dwelling units. New roads and development will change the nature of this area as it now exists.
- (d) Quantity and distribution of employment? New construction may bring new workers to the area. Many workers will commute from Bozeman, and outlying areas.
- (e) Distribution and density of population and housing? The population in the Big Sky area will increase. Some on the new population may be transient.
- (f) Demands for government services? The demand for government services will be increased.

- (g) Industrial and commercial activity? This Change will not alter existing industrial or commercial activity.
- (h) Utilities? The added demand on utilities may be increased.
- (i) Transportation? Traffic on highway # 191 is currently dangerous. Additional use of this highway will make it more congested and dangerous.
- (j) Safety? The safety of people driving on highway # 191 will be exacerbated with additional traffic in route to or from this development.
- (k) Other appropriate social and economic circumstances? The building economy will benefit from this development. More people being relocated to the area may bring with it more social problems.

2. *Secondary and cumulative impacts on the physical environment and human population:*

Secondary Impacts No secondary impacts have been identified.

Cumulative Impacts No cumulative impacts have been identified.

- 3. *Describe any mitigation/stipulation measures:*** Mitigation or stipulations are not planned at this time.
- 4. *Description and analysis of reasonable alternatives to the proposed action, including the no action alternative, if an alternative is reasonably available and prudent to consider:*** If this ground is to be subdivided, lots could be sold without water, where it would be the lot owners responsibility to drill their own wells. The density of lots may need to be changed if this option were to occur. The golf course could be a traditional links course where it is not irrigated. The no action alternative would be to not subdivide this ground, and not build a golf course.

PART III. Conclusion

- 1. *Preferred Alternative*** If this ground is to be subdivided, a community water supply may be the preferred alternative. It may be preferred if no irrigation of lawns or the golf course were to occur.
- 2. *Comments and Responses*** No comments or responses have been received at this time.
- 3. *Finding:***
Yes___ No_X__ Based on the significance criteria evaluated in this EA, is an EIS required?

If an EIS is not required, explain why the EA is the appropriate level of analysis for this proposed action: Significant impacts have not been identified. An EIS is not required for this action.

Name of person(s) responsible for preparation of EA:

Name: Jan R. Mack

Title: Water Resources Specialist

Date: December 14, 2006